

## HOWARD COUNTY COUNCIL REGULAR MEETING AUGUST 28, 2018

The Howard County Council met in Regular Session on Tuesday, August 28, 2018, at 4:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Richard Miller, Vice-President James Papacek, and members Les Ellison, Stan Ortman, John Roberts, and Jeffrey Stout. Also in attendance were Howard County Attorney Alan Wilson and Howard County Auditor Martha Lake. Absent from the meeting was Councilman Dwight Singer.

The meeting was called to order by Howard County Sheriff Steve Rogers and conducted by President Richard Miller.

### IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the July 24, 2018, regular meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Councilman John Roberts. Councilman Jeffrey Stout seconded the motion, and the motion carried.

Councilman Stan Ortman led the Pledge of Allegiance. Vice-President James Papacek offered a specific prayer for the recovery of Councilman Dwight Singer. Mr. Stout offered a word of prayer as the meeting began.

### IN THE MATTER OF ORDINANCE NO. 2018-HCCO-26– ADDITIONAL APPROPRIATIONS FOR 2018:

Howard County Auditor Martha Lake read Ordinance No. 2018-HCCO-26 – Additional Appropriations for 2018 through one time, and it was acted upon as follows.

		<u>Amount Requested</u>	<u>Amount Approved</u>
	<b><u>Additional Appropriations:</u></b>		
<b><u>1000</u></b>	<b><u>GENERAL FUND:</u></b>		
<b><u>0007</u></b>	<b><u>Howard County Coroner</u></b>		
32635	Med. & Hospital – Autopsy/Lab	\$ 65,000.00	\$ 65,000.00
	<b>Total Coroner's Office:</b>	\$ 65,000.00	\$ 65,000.00
<b><u>0013</u></b>	<b><u>Center Township Assessor's Office</u></b>		
31210	Maintenance & Service Contracts	\$ 800.00	\$ 800.00
	<b>Total Center Assessor's Office:</b>	\$ 800.00	\$ 800.00
	<b><u>TOTAL GENERAL FUND:</u></b>	<b><u>\$ 65,800.00</u></b>	<b><u>\$ 65,800.00</u></b>
<b><u>1114</u></b>	<b><u>HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u></b>		
<b><u>0380</u></b>	<b><u>Sheriff – Jail Department:</u></b>		
12108	Longevity	\$ 4,125.00	\$ 4,125.00
12192	Armed Corrections Officer	\$ 600.00	\$ 600.00
	<b>Total LIT Special Purpose -Sheriff - Jail:</b>	\$ 4,725.00	\$ 4,725.00
	<b><u>TOTAL LIT SPECIAL PURPOSE FUND:</u></b>	<b><u>\$ 4,725.00</u></b>	<b><u>\$ 4,725.00</u></b>
<b><u>**9103</u></b>	<b><u>HOWARD COUNTY PROBLEM SOLVING COURT FUND:</u></b>		
12006	PSC Case Manager	\$ 30,600.00	Tabled until budget hearing
11120	Juvenile Referee	\$ 10,000.00	Tabled until budget hearing
15210	FICA	\$ 3,106.00	Tabled until budget hearing
15220	PERF	\$ 6,630.00	Tabled until budget hearing
15230	Insurance	\$ 7,366.00	Tabled until budget hearing
32641	Drug Screens (Witham)	\$ 1,364.00	Tabled until budget hearing
32130	Travel and Training	\$ 8,534.00	Tabled until budget hearing
37401	Rewards/PSC	\$ 1,000.00	Tabled until budget hearing
	<b><u>TOTAL PROBLEM SOLVING COURT FUND:</u></b>	<b><u>\$ 77,600.00</u></b>	Tabled until budget hearing
	** Tabled from July 24 <sup>th</sup> Meeting		
	<b><u>TOTAL ADDITIONAL APPROPRIATIONS:</u></b>	<b><u>\$ 148,125.00</u></b>	

1. Howard County Coroner Steve Seele stated that the Coroner's office requested an additional \$65,000.00 for autopsy/labs. Autopsies have averaged \$14,000.00 - \$15,000.00 a month. Currently, there is \$8,200.00 in the account. Mr. Roberts asked about the costs for autopsies. Mr. Seele responded that autopsies cost \$1,525.00 each, and toxicology labs costs range from \$200.00 - \$500.00 each. In a suspected overdose, the initial toxicology lab is covered by the state in 2018 under Senate bill 139. Last year the cost of initial labs were covered by a grant. Mr. Papacek made a motion to approve account 1000.32635.000.0007 Med. & Hospital Autopsy/Lab in the amount of \$65,000.00. Mr. Ortman and Councilman Les Ellison seconded the motion. Mr. Stout abstained. The motion carried.
2. Center Township Assessor Sheila Pullen sent a letter requesting additional dollars to cover the maintenance and service costs for 2018. Ms. Pullen explained that she was unable to attend due to the Assessor's meeting in Indianapolis. Mr. Ortman made a motion to approve in account 1000.31210.000.0013 Maintenance & Service Contracts the amount of \$800.00. Mr. Papacek seconded the motion, and the motion carried.
3. Sheriff Rogers requested additional funds to cover longevity and armed officer pay for former court security officers. The longevity pay \$4,125.00 and armed officer pay \$600.00 is part of the agreement between the courts and the sheriff's department. Mr. Papacek made a motion to approve the additional request from the LIT Special Purpose Fund for Sheriff from account 12108 Longevity in the amount of \$4,125.00 and from account 12192 Armed Corrections Officer in the amount of \$600.00. Mr. Roberts seconded the motion, and the motion carried. Sheriff Rogers also introduced Sheriff's Department employee Christina Kline. She is in attendance due to the fact that she is helping the department handle budgets, taxation, and sheriff sales. Sheriff Rogers commended Ms. Kline on a job well done.
4. Auditor Lake explained that the requests for Fund 9103 Howard County Problem Solving Court Fund would be addressed by Mr. Dustin DeLong at budget time. Mr. Papacek made a motion to table the request in Fund 9103 Howard County Problem Solving Court Fund until the budget hearings. Mr. Roberts seconded the motion, and the motion was tabled.

#### **IN THE MATTER OF RESOLUTION NO. 2018-HCCR-16 – TRANSFERS**

Howard County Auditor Lake read Resolution No. 2018-HCCR-16-Transfers through one time, and it was acted upon as follows.

<b>Transfer From:</b>		<b>Transfer To:</b>	<b><u>Amount Requested</u></b>	<b><u>Amount Approved</u></b>
<b><u>1000</u></b>	<b><u>HOWARD COUNTY GENERAL FUND:</u></b>			
<b><u>0007</u></b>	<b><u>Coroner's Department:</u></b>			
23710	Other Supplies	47210 Equipment	\$ 2,000.00	\$ 2,000.00
<b><u>0202</u></b>	<b><u>Superior Court II:</u></b>			
23600	Office Supplies	47210 Equipment	\$ 400.00	\$ 400.00
<b><u>1176</u></b>	<b><u>Howard County Motor Vehicle Highway Dept.:</u></b>			
12105	Laborers/Engineer's Aid	34250 Repair Trucks	\$ 36,000.00	\$ 36,000.00
<b><u>4903</u></b>	<b><u>Howard County Sheriff Work Program:</u></b>			
47210	Equipment	22530 Supplies	\$ 1,500.00	\$ 1,500.00
32530	Repair	22530 Supplies	\$ 1,000.00	\$ 1,000.00

1. Mr. Seele stated that a camera system needed to be replaced, and funds are available in account 23710 Other Supplies to transfer to 47210 Equipment.
2. Howard County Highway Superintendent Ted Cain explained his transfer request is due to the repair costs for the trucks have substantially increased. Currently, there are additional funds available from the gas taxes.
3. Sheriff Rogers explained that additional money is needed to cover the parts to repair the power take-off for a large mower.
4. Auditor Lake explained that the money for Superior Court II was for an emergency replacement refrigerator purchase.

Mr. Papacek made a motion to approve the transfers from Superior Court II and the rest of Resolution 2018-HCCR-16 as read. Mr. Stout seconded the motion, and the motion carried.

#### **IN THE MATTER OF SALARY ORDINANCE NO. 2018-HCCO-27– AMENDING SALARY ORDINANCE FOR 2018:**

Howard County Auditor Martha Lake read Salary Ordinance No. 2018-HCCO-27 – Amending Salary Ordinance for 2018 through one time, and it was acted upon as follows.

		<u>Amount Requested</u>	<u>Amount Approved</u>
<b><u>1114</u></b>	<b><u>HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u></b>		
<b><u>0380</u></b>	<b><u>Sheriff – Jail Department:</u></b>		
12108	Longevity	\$ 4,125.00	\$ 4,125.00
12192	Armed Corrections Officer	\$ 600.00	\$ 600.00
<b><u>1176</u></b>	<b><u>HOWARD COUNTY MOTOR VEHICLE HIGHWAY DEPT.:</u></b>		
12105	Laborers/Engineer's Aid	\$ (36,000.00)	\$ (36,000.00)
<b><u>9103</u></b>	<b><u>HOWARD COUNTY PROBLEM SOLVING COURT FUND:</u></b>		
12006	PSC Case Manager	\$ 30,600.00	Tabled until budget hearing
11120	Juvenile Referee	\$ 10,000.00	Tabled until budget hearing
15210	FICA	\$ 3,106.00	Tabled until budget hearing
15220	PERF	\$ 6,630.00	Tabled until budget hearing
15230	Insurance	\$ 7,366.00	Tabled until budget hearing

Mr. Ortman made a motion to approve Salary Ordinance 2018-HCCO-27 as presented. Mr. Roberts seconded the motion, and the motion carried.

#### **IN THE MATTER OF NEW BUSINESS:**

1. Auditor Lake explained that the Clerk's Office changed to Odyssey. The change caused an additional \$250.00 to be needed for the Clerk's Office cash change drawers. Mr. Papacek made a motion to approve the increase in the Clerk's cash drawer money as presented. Mr. Ortman seconded the motion, and the motion carried.
2. Auditor Lake explained that a Non-Binding Taxing Unit Reviews is due to the state. Auditor Lake stated that there is not enough information to make a review at this time. A motion was made by Mr. Papacek, seconded by Mr. Ellison, and carried to respectfully take no action on the Non-binding Reviews because of insufficient information to make a judgement at this time.
3. Auditor Lake stated that 2019 Certified Net Assess Values (NAVs) are \$3,707,247,962 compared to approximately \$3,599,000,000 in 2018.
4. Howard County Commissioner Paul Wyman stated that there have been five positions in the Clerk's Office that have been eliminated by the attrition process. This has resulted in a savings of approximately \$250,000.00. The Clerk's Office is asking to reallocate \$10,000.00 of the savings to Clerk personnel. Odyssey software has also aided in staff reduction. The formal request will be made at the September 25, 2018, Council regular meeting. Mr. Wyman stated that this good news shows that both the county and employees are benefitting from the attrition process.
5. Due to a time conflicts (State Conferences and other commitments) for various departments the following departments asked to present their 2019 budget requests early:
  - (a) Honorable Superior Court I Judge William Menges presented the budget for the Unified Court Fund. The Unified Court Budgets is spent by five judges. Additional appropriations will be requested for psychiatric and translator expenses at the Sept. Council Meeting. Judge Menges also presented Superior Court I Budget which is the same as last year except for salary requests to bring up personnel to the same level as other courts. Judge Menges also presented the Drug Free Community Fund Budget for Kathy Horton. The budget is the same as last year. The money is collected through Community Drug Interdiction Fund and Alcohol Abuse Fund. The money spent matches the funds received. If more money is received, additional appropriations will be requested. Currently, there is approximately \$138,000.00 hold over balance in the fund.

*Mr. Roberts asked Judge Menges to expand on psychiatric tests. The cost of the tests range from \$1,000.00 - \$2,500.00. These fees are based on the time to diagnose the problem and the individual performing the evaluation. Mr. Papacek asked the judges, if they could explain why the time spent in jail is different from the sentence. Judge Menges explained that the Criminal Justice System tries to reform people instead of punishing them. Offenders, who serve only one day in prison are typically, first time offenders, and have caused no injury to others, and have no substantial monetary issue. This person has 364 day suspended sentence, which is tied to probation. Probation can apply sanctions or incentive based on the offender's behavior. If there is a serious offense, they can petition to revoke probation, and the offender will go back to jail. Research shows that short-term (i.e. 30 days or less) incarceration is the most effective measure to help prevent recidivism.*

Judge Menges commended Mr. Miller and Mr. Ellison on a job well done and all their hard work.

- (b) Honorable Superior Court IV Judge George Hopkins requested a small increase in dues and subscriptions to allow flexibility for the succeeding judge. Before the attrition policy was adopted Superior Court IV staff was reduced from three to two and a half people. In Judge Hopkins' opinion, three full time people are needed. Judge Hopkins stated he will leave the increase in staff to his successor Hans Pate. Judge Hopkins commended the Council on a job well done by all. Hans Pate, in the audience, also stated that three full time staff are needed in Superior Court IV. Mr. Pate requested that the part time individual become full time.
- (c) Honorable Circuit Court Judge Lynn Murray stated that her budget is the same except for security officer and Court Appointed Advocate. The state has reduced matching funds for the Court Appointed Advocate. The security officer is now under the Sheriff's supervision.

*Judge Murray noted that the new Odyssey Software System has been live since August 13, 2018.*

Judge Murray also thanked Mr. Miller and Mr. Ellison for all their work.

- (d) Honorable Superior Court II Judge Brant Parry stated his budget is the same except for security officer and related costs. The new Veterans Court has ten participants. The new Mental Health Court has seven participants.

*Judge Parry also explained that incarcerating low risk offenders can actually increase the offender's probability of re-offending.*

Judge Parry also thanked Mr. Miller and Mr. Ellison for their service. Judge Parry thanked the council for working together with the judges. Judge Parry also thanked Judge Hopkins for a job well done.

- (e) Honorable Superior Court III Judge Douglas Tate stated that his budget requests salary increases. Judge Tate does not see any further reduction in staff.

*Judge Tate spoke about a magistrate. The cost for the magistrate would be covered by the state at 80%. An additional court reporter would also be required. There is a meeting with the state for approval of a magistrate. The state wants to move away from a bond system due to offenders having to sit in jail because they have no money for a bond. A magistrate would help reduce the number of offenders sitting in jail waiting for an initial hearing.*

- (f) Howard County Highway Director Ted Cain requested that the part time people also get a raise. Mr. Cain has increased money in 1176 Motor Vehicle Highway Fund due to increased costs. Road projects in Fund 1169 Local Road & Streets include Judson Road project. Fund 1135 Cumulative Bridge Fund the Carter Street Bridge will not begin until late 2019.
- (g) Howard County Public Defender Steven Raquet explained that the changes in salary for the Public Defender and his chief deputy are set by state guidelines. The Law Books money is for on line research material for all of the deputies.

***There being no further business to come before the Council at this time,  
the meeting was adjourned at 6:04 p.m. on a motion made by  
Mr. Papacek, which was seconded by Mr. Ellison, and the motion carried.***

**HOWARD COUNTY COUNCIL:**

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RICHARD H. MILLER PRESIDENT

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JAMES T. PAPACEK, VICE PRESIDENT

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LESLIE W. ELLISON, MEMBER

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STANLEY E. ORTMAN, MEMBER

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JEFFREY A. STOUT, MEMBER

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JOHN J. ROBERTS, MEMBER

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DWIGHT V. SINGER, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Howard County Council Meeting August 28, 2018